

Pryor & Mandelup, L.L.P.
Attorneys for Debtor
A. Scott Mandelup, Esq.
675 Old Country Road
Westbury, New York 11590
(516) 997-0999
asm@pryormandelup.com

Hearing Date: April 5, 2023
Hearing Time: 9:30 a.m.
Objection Date: March 29, 2023
Objection Time: 4:00 p.m.

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK**

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In re:

Case No.: 8-22-71597-reg

SAM M. MIRIAN,

Chapter 7

Debtor.

NOTICE OF MOTION

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PLEASE TAKE NOTICE, that a hearing will be held on April 5, 2023 at 9:30 a.m. (the “Hearing Date”), or as soon thereafter as counsel can be heard, before the Hon. Robert E. Grossman, United States Bankruptcy Judge, at the United States Bankruptcy Court for the Eastern District of New York, Alfonse M. D’Amato U.S. Courthouse, 290 Federal Plaza, Room 860, Central Islip, New York 11722, on the motion of Sam Mirian (“Debtor”), the debtor in the above-captioned Chapter 7 bankruptcy case, by his attorneys, Pryor & Mandelup, L.L.P., upon the Declaration of A. Scott Mandelup, dated March 8, 2023, and the exhibits thereto, for the entry of an Order, pursuant to 11 U.S.C. § 522(f), Rule 4003(d) and 9014 of the Federal Rules of Bankruptcy Procedure, and E.D.N.Y. LBR 9013-1(g): (i) avoiding the judicial lien (the “Judicial Lien”) of M. Newtown Associates Limited Partnership as against Debtor’s survivorship interest in the residential condominium apartment known as 467 Central Park West, New York, NY

10025, Unit 12-C (the “Property”) as impairing Debtor’s exemption, pursuant to 11 U.S.C. § 522(b)(3)(B), in and to his survivorship interest as tenant by the entirety in the Property; and (ii) granting such other and further relief as this Court deems just and proper (the “Motion”).

PLEASE TAKE FURTHER NOTICE, that pursuant to E.D.N.Y. LBR 9006-1(a), any objection or response (the “Objections”) to the Motion must be made in writing, must state the standing of the objectant, state with particularity the grounds for the objection, shall conform to the Federal Rules of Bankruptcy Procedure and Local Rules of the Bankruptcy Court, and shall be filed with the Bankruptcy Court electronically in accordance with General Order 559. (General Order 559 and the User’s Manual for the Electronic Case Filing System can be found at www.nyeb.uscourts.gov, the official Web-site of the Bankruptcy Court), by registered users of the Bankruptcy Court’s case filing system and, by all other parties in interest, on a 3.5 inch diskette, CD or DVD preferably in Portable Document Format (PDF), Microsoft Word or any other Windows-based word-processing format (with a hard-copy delivered directly to the Chambers of Hon. Robert E. Grossman, at the above address), and must be served in accordance with General Order 559 upon: (i) Pryor & Mandelup, L.L.P., Counsel to the Debtor, 675 Old Country Road, Westbury, NY 11590, Attn: A. Scott Mandelup, Esq., and (ii) the Office of the United States Trustee, 560 Federal Plaza, Central Islip, NY 11722, so as to be filed and actually received no later than **March 29, 2023 at 4:00 p.m.** (the “Objection Date”).

PLEASE TAKE FURTHER NOTICE, that if no objections are received by the
Objection Date, the relief requested in the Motion may be granted without a hearing.

Dated: Westbury, New York
March 8, 2023

PRYOR & MANDELUP, L.L.P.
Attorneys for the Debtors

By: s/ A. Scott Mandelup
A. Scott Mandelup
675 Old Country Road
Westbury, New York 11590
(516) 997-0999
asm@pryormandelup.com

**TO: Attorneys for M. Newton Associates Limited Partnership
Office of the United States Trustee
Attorneys for Chapter 7 Trustee
Internal Revenue Service
United States Attorney's Office
A&D Entrances Inc.
(See Annexed List)**

Pullman & Comley, LLC
Attorneys for M. Newton Associates Limited Partnership
90 State House Square
Hartford, CT 06103
Attention: Jonathan A. Kaplan, Esq.

Office of the United States Trustee
Alfonse D'Amato Federal Courthouse
560 Federal Plaza
Central Islip, NY 11722

LaMonica Herbst & Maniscalco LLP
Attorneys for the Chapter 7 Trustee
305 Jerusalem Avenue, Suite 215
Wantagh, NY 11793

Internal Revenue Service
Centralized Insolvency Operation
P.O. Box 7346
Philadelphia, PA 19101-7346

United States Attorney's Office
Attorneys for Internal Revenue Service
Attention: Long Island Bankruptcy Processing
610 Federal Plaza, 5th Floor
Central Islip, NY 11722

A&D Entrances Inc.
105 Wyandanch Avenue
Wyandanch, NY 11798